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5 *Attorneys for Plaintiffs*

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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 MINGBO CAI, Individually and on Behalf of  
10 All Other Persons Similarly Situated,

11 Plaintiff,

12 v.

13 SWITCH, INC., ROB ROY, GABE NACHT,  
14 ZAREH SARAFIAN, DONALD SNYDER,  
TOM THOMAS, BRYAN WOLF, GOLDMAN  
15 SACHS & CO. LLC, J.P. MORGAN  
SECURITIES LLC, BMO CAPITAL  
16 MARKETS CORP., WELLS FARGO  
SECURITIES, LLC, CITIGROUP GLOBAL  
17 MARKETS INC., CREDIT SUISSE  
SECURITIES, JEFFERIES LLC, BTIG, LLC,  
18 RAYMOND JAMES & ASSOCIATES, INC.,  
STIFEL, NICOLAUS & COMPANY, INC.,  
19 and WILLIAM BLAIR & COMPANY, LLC,

20 Defendants.

CASE NO.: 2:18-cv-01471-JCM-VCF

**JOINT STIPULATION RE BRIEFING  
SCHEDULE FOR MOTION TO STRIKE**

21  
22 It is HEREBY stipulated, by and among the parties, as follows:

23 WHEREAS, on September 18, 2018, Lead Plaintiff Oscar Farach ("Lead Plaintiff") and  
24 Defendants filed a Joint Stipulation re Filing of Amended Complaint and Subsequent Briefing,  
25 which set the dates for the filing of an amended complaint, Defendants' motion to dismiss (if  
26 any), and any subsequent briefing thereon (Dkt. No. 29);  
27

28 **JOINT STIPULATION RE BRIEFING SCHEDULE FOR MOTION TO STRIKE**

1 WHEREAS, on September 28, 2018, Magistrate Judge Cam Ferenbach granted the  
2 stipulation and set the following schedule for the amended complaint and Defendants' motion to  
3 dismiss:

- 4 1. Plaintiffs shall have until October 12, 2018 to file their amended complaint;
- 5 2. Defendants shall have until November 19, 2018 to file any motion(s) to dismiss  
6 the amended complaint;
- 7 3. Plaintiffs shall have until December 21, 2018 to file any opposition(s) to  
8 Defendants' motion(s) to dismiss; and
- 9 4. Defendants shall have until January 21, 2019 to file any reply/replies in support of  
10 their motion(s) (Dkt. No. 43);

11 WHEREAS, on October 12, 2018, Lead Plaintiff timely filed his Amended Complaint for  
12 Violations of the Federal Securities Laws (Dkt. No. 58);

13 WHEREAS, on November 19, 2018, Defendants Switch, Inc. ("Switch"), Rob Roy, Gabe  
14 Nacht, Zareh Sarrafian, Donald Snyder, Tom Thomas, and Bryan Wolf (collectively, the "Switch  
15 Defendants") timely filed a Motion to Dismiss Plaintiff's Amended Complaint for Violations of  
16 the Federal Securities Laws (the "Motion to Dismiss") (Dkt. No. 60);

17 WHEREAS, on November 19, 2018, the Switch Defendants additionally filed a Motion  
18 to Strike Allegations from Plaintiff's Amended Class Action Complaint for Violation of the  
19 Securities Laws Pursuant to Federal Rule of Civil Procedure 12(f) (the "Motion to Strike") (Dkt.  
20 No. 63);

21 WHEREAS, on November 20, 2018, Defendants BMO Capital Markets Corp., BTIG,  
22 LLC, Citigroup Global Markets, Inc., Credit Suisse Securities (USA) LLC, Goldman Sachs &  
23 Co. LLC, J.P. Morgan Securities LLC, Jefferies LLC, Raymond James & Associates, Inc., Stifel,  
24 Nicolaus & Company, Inc., Wells Fargo Securities, LLC, William Blair & Company, L.L.C.  
25 (collectively, the "Underwriter Defendants"), filed a Joinder to the Motion to Dismiss (Dkt. No.  
26 64);

1 WHEREAS, on November 20, 2018, Underwriter Defendants additionally filed a Joinder  
2 to the Motion to Strike (Dkt. No. 66);

3 WHEREAS, pursuant to Local Rule 7-2(b), Lead Plaintiff would have 14 days to respond  
4 to the Motion to Strike, and Defendants would have 7 days thereafter to file a reply;

5 WHEREAS, since the Motion to Strike is related to the Motion to Dismiss and  
6 incorporates by reference sections of the Motion to Dismiss, counsel for Plaintiffs and counsel  
7 for Defendants have met and conferred and have agreed that simultaneous briefing of the two  
8 motions would best serve the interests of efficiency and judicial economy.

9 THEREFORE, IT IS HEREBY STIPULATED by and between the parties, and subject to  
10 this Court's approval and order, as follows:

11 1. Lead Plaintiff shall have until December 21, 2018 to file an opposition to the  
12 Motion to Strike; and

13 2. Defendants shall have until January 21, 2019 to file a reply in support of their  
14 Motion to Strike.

15 IT IS SO STIPULATED.

16 Dated: November 21, 2018

GLANCY PRONGAY & MURRAY LLP

17  
18 By: s/ Robert V. Prongay  
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21 *Lead Counsel for Lead Plaintiff and the Class*

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25 *Liaison Counsel for Lead Plaintiff and the*  
26 *Class*

1 Dated: November 21, 2018

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20 *Attorneys for Defendants Switch, Inc., Rob*  
21 *Roy, Gabe Nacht, Zareh Sarrafian, Donald*  
22 *Snyder, Tom Thomas, and Bryan Wolf*

23 Dated: November 21, 2018

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*Markets Corp., Wells Fargo Securities, Llc,*  
*Citigroup Global Markets Inc., Credit Suisse*  
*Securities, Jefferies LLC, BTIG, LLC, Raymond*  
*James & Associates, Inc., Stifel, Nicolaus &*  
*Company, Inc., and William Blair & Company,*  
*L.L.C.*

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**[PROPOSED] ORDER**

Pursuant to the Parties' stipulation, Lead Plaintiff shall have until **December 21, 2018** to file an opposition to the Motion to Strike. Defendants shall have until **January 21, 2019** to file a reply in support of their Motion to Strike.

**IT IS SO ORDERED:**



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UNITED STATES MAGISTRATE JUDGE

DATED: 11-21-2018

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I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On November 21, 2018, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the District of Nevada, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 21, 2018, at Los Angeles, California.

s/ Robert V. Prongay  
Robert V. Prongay

# Mailing Information for a Case 2:18-cv-01471-JCM-VCF Cai v. Switch, Inc. et al

## Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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## Manual Notice List

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